



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of

Lerner

Atty. Ref.: 4230-5; Confirmation No. 9018

Appl. No. 10/051,817

Group: 1615

Filed: January 18, 2002

Examiner: Azpuru

For: **METHOD AND APPARATUS FOR ENHANCED AND CONTROLLED DELIVERY OF
A BIOLOGICALLY ACTIVE AGENT INTO THE CENTRAL NERVOUS SYSTEM OF
A MAMMAL**

* * * * *

September 22, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

Responsive to the Official Action of September 8, 2003 and the requirement for restriction presented in it, applicants elect the subject matter of Group I, namely claims 1-10, 21-24, 26, 28 and 30. This response is made without traverse.

Please examine the elected claims taking into account the Information Disclosure Statement filed September 22, 2003. An examination on the merits is awaited.

Respectfully submitted,
NIXON & VANDERHYE P.C.

By: _____


Arthur R. Crawford
Reg. No. 25,327

ARC:eaw

1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Pre Patent Application of

Lerner

Serial No. 10/051,817

Filed: January 18, 2002

Title: METHOD AND APPARATUS FOR ENHANCED AND CONTROLLED DELIVERY
OF A BIOLOGICALLY ACTIVE AGENT INTO THE CENTRAL NERVOUS SYSTEM
OF A MAMMALAtty Dkt. 4230-5
C# M#

Group Art Unit: 1615

Examiner: Azpuru

Date: September 22, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.**Fees are attached as calculated below:**

Total effective claims after amendment	31	minus highest number			
previously paid for	31	(at least 20) =	0	x	\$ 18.00

Independent claims after amendment	9	minus highest number			
previously paid for	9	(at least 3) =	0	x	\$ 84.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper)					
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Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$410.00/2 months; \$930.00/3 months)					
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Terminal disclaimer enclosed, add \$ 110.00					
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<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$750.00)					
<input type="checkbox"/> Please enter the previously unentered , filed					
<input type="checkbox"/> Submission attached					

Subtotal	\$	0.00
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If "small entity," then enter half (1/2) of subtotal and subtract					
<input checked="" type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith					

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)					
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Assignment Recording Fee (\$40.00)					
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Other: Information Disclosure Statement, PTO-1449, references; Copy of Appointment/Associate Power of Attorney					0.00
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TOTAL FEE ENCLOSED	\$	0.00
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The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
ARC:eaw

NIXON & VANDERHYE P.C.
By Atty: Arthur R. Crawford, Reg. No. 25,327

Signature: 